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Attorneys for Defendant  
NATIONWIDE MUTUAL LIFE INSURANCE COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SEAN MICHAEL CARTER,

Plaintiff,

v.

K&K INSURANCE GROUP, INC.,  
d/b/a SPECIALTY BENEFITS  
ADMINISTRATOR, INC.; NATIONWIDE  
LIFE INSURANCE COMPANY;  
NATIONWIDE MUTUAL INSURANCE  
COMPANY; AON CORPORATION, and  
DOES 1-100,

Defendants.

) CASE NO. 3:07-CV-05588 CRB  
)  
) **STIPULATION AND ORDER TO EXTEND**  
) **TIME FOR COMPLETION OF ADR**  
) **(MEDIATION) AND FOR CONTINUANCE**  
) **OF INITIAL CASE MANAGEMENT**  
) **CONFERENCE;**  
) **(PROPOSED) ORDER.**

**RECITALS**

1. Plaintiff Sean Michael Carter ("Plaintiff") and Defendant Nationwide Mutual Insurance Company ("Nationwide"), collectively referred to herein as "the Parties," stipulated to submit this matter to private mediation, which by order of the Court was to have been completed no later than March 24, 2008;

2. The Parties were scheduled to engage in mediation with the Honorable Eugene F. Lynch, Judge (ret.), on March 12, 2008. However, the mediation session had to be postpone when Judge Lynch became unavailable due to health reasons;

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3. In light of Plaintiff's health and certain medical care he is receiving, the unavailability of Nationwide's counsel due to his trial calendar, and Judge Lynch's availability, the Parties have rescheduled the mediation for June 30, 2008.

WHEREFORE, the Parties do stipulate as follows:

**STIPULATION**

It is hereby stipulated by Plaintiff and Nationwide, by and through their counsel of record, and pursuant to Local Rule 6-2(a):

1. The Parties will proceed to mediation with Judge Lynch on June 30, 2008;
2. By presentation of this Stipulation to the Court, the Parties request that the Court extend the deadline for completion of mediation (or other method of ADR) to July 15, 2008;
3. By presentation of this Stipulation to the Court, the Parties request that the Court continue the initial case management conference, presently scheduled for April 25, 2008, to a date on or after July 16, 2008.

IT IS SO STIPULATED.

Dated: April \_\_, 2008

GOLDSTEIN GELLMAN MELBOSTAD GIBSON  
& HARRIS, LLP

By \_\_\_\_\_ /S/  
Lee S. Harris  
Michael W. Flynn  
Attorneys for Plaintiff  
SEAN MICHAEL CARTER

Dated: April \_\_, 2008

LEWIS BRISBOIS BISGAARD & SMITH LLP

By \_\_\_\_\_ /S/  
Julian J. Pardini  
**Stephen J. Liberatore**  
Attorneys for Defendants  
NATIONWIDE MUTUAL INSURANCE COMPANY

**ORDER**

Pursuant to the Stipulation of the Parties set forth above:

The Court hereby orders and decrees as follows:

1. The period in which the Parties have to submit this matter to mediation (or other selected method of ADR) shall be, and hereby is, extended to July 15, 2008;
2. The initial case management conference shall be, and hereby is, continued to July \_\_, 2008, at 8:30 a.m., in Courtroom 8 of the above-entitled Court, located at 450 Golden Gate Avenue, 19th Floor, San Francisco, CA 94102; and
3. The Parties' case management conference statements shall be due on July \_\_, 2008.

IT IS SO ORDERED.

Dated: April \_\_, 2008

\_\_\_\_\_  
Charles R. Breyer, Judge  
United States District Court  
Northern District of California

**CERTIFICATE OF SERVICE**

*Sean Michael Carter v. K&K Insurance Group, Inc., et al.*  
U. S. District Court, Case No. 3:07-cv-05588 CRB

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

At the time of service, I was over 18 years of age and not a party to the action. My business address is One Sansome Street, Suite 1400, San Francisco, California 94104. I am employed in the office of a member of the bar of this Court at whose direction the service was made.

On April 2, 2008, I served the following document(s): **DEFENDANT NATIONWIDE MUTUAL INSURANCE COMPANY'S STIPULATION AND ORDER TO EXTEND TIME FOR COMPLETION OF ADR (MEDIATION) AND FOR CONTINUANCE OF INITIAL CASE MANAGEMENT CONFERENCE; (proposed) ORDER.**

☒ (BY COURT'S CM/ECF SYSTEM) Pursuant to Local Rule, I electronically filed the documents with the Clerk of the Court using the CM/ECF system, which sent notification of that filing to the persons on the court's E-filing system.

☒ Notice has been delivered by other means, by mail as shown, below, to the following who is not entered on the court's electronic efilng service list in this action:

J. Kevin Morrison  
Jones, Clifford, Johnson & Johnson LLP  
100 Van Ness Avenue, 19<sup>th</sup> Floor  
San Francisco, CA 94102

☒ (BY U.S. MAIL) I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above and (specify one):

☐ Deposited the sealed envelope or package with the U.S. Postal Service, with the postage fully prepaid.

☒ Placed the envelope or package for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice for collection and processing correspondence for mailing. Under that practice, on the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope of package with the postage fully prepaid.

☒ FEDERAL

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on April 2, 2008, at San Francisco, California.

  
Arleigh Koulax